

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

DAVID-JOHN MCDONALD,
RYAN K. GUIMOND, and
CATHERINE PETRILLI,

Case No. 11-cv-13080

Plaintiffs,

Hon. Marianne O. Battani

v.

**Companion Case No. 11-11122
(terminated; Dkt. #28)**

ASSET ACCEPTANCE, LLC

Need defendant here

ORDER REGARDING INDICATIVE RULING
UNDER FED. R. CIV. P. 60(b) AND 62.1(a)(3)

This matter came to be upon the joint motion of Defendant Asset Acceptance, LLC and Plaintiffs Ryan K. Guimond and Catherine Petrilli (collectively, the “Parties”) pursuant to Fed. R. Civ. P. 60(b) and 62.1(a)(3) asking this Court to vacate its August 7, 2013 Opinion and Order Granting Plaintiffs’ Motion for Class Certification, Granting Plaintiffs’ Motion for Summary Judgment, and Denying Defendant’s Motion for Summary Judgment. (ECF No. 107).

Considering the Parties’ desire to settle and the entire record, the Court is of the opinion, and so finds, that should the case be remanded to it by the Court of Appeals for the Sixth Circuit, it will grant the relief requested.

IT IS HEREBY ORDERED that if this case is remanded to the District Court by the Court of Appeals, this Court will enter an Order granting the Parties' joint motion to vacate the August 7, 2013 Opinion and Order Granting Plaintiffs' Motion for Class Certification, Granting Plaintiffs' Motion for Summary Judgment, and Denying Defendant's Motion for Summary Judgment. (ECF No. 107).

IT IS SO ORDERED.

Date: November 4, 2015

s/Marianne O. Battani
MARIANNE O. BATTANI
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail to the non-ECF participants on November 4, 2015.

s/ Kay Doaks
Case Manager